

ORIGINAL

March 9, 2000

Mr. Lawrence Strickling
Chief, Common Carrier Bureau
Federal Communications Commission
445 12th St. SW
Washington DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

EX PARTE LETTER: CC DOCKET 99-200

Subject: Impact of State Guidelines on National Pooling

Dear Mr. Strickling:

While the so-called State Coordination Group ("the states") seeks to gain additional delegated authority over day-to-day operations of number administration activity, MCI WorldCom, Inc ("MCI WorldCom") urges the Commission to maintain national administration over the national numbering plan.¹ As the Commission has repeatedly and correctly concluded, there should be one national administration function not fifty-one different.² Pooling and its administration are part and parcel of national numbering administration.

The Commission has made it clear that the temporary, limited authority granted to certain states to proceed with pooling trials would be replaced with national guidelines. The states now offer the Commission a set of pooling administration guidelines and other state-specific measures which they propose should be adopted instead of a national

¹ *Ex parte* Letter to Ms. Margalie Roman Salas, Secretary, FCC from Ms. Trina M. Bragdon, on behalf of the state coordination group, dated January 26, 2000. (*January letter*)

² See, *In the Matter of Administration of the North American Numbering Plan*, CC Docket 92-237, FCC 95-283 Report and Order (July 1995) (*NANPA Order*) (para. 73) and *In the Matter of Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215 and 717, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, NSD File No, L-97-42, CC Docket No. 96-98, Memorandum Opinion and Order and Order on Reconsideration (September 1998) (*Pennsylvania Order*) (para. 33) ("If each state commission were to implement its own NXX code administration measures without any national uniformity or standards, it would hamper the NANPA's efforts to carry out its duties as the centralized NXX code administrator. In that event, the NANPA would have the potentially impossible task of performing its NXX code administration and area code relief planning functions in a manner that is consistent with both Commission rules and industry guidelines, as well as fifty-one different regimes....")

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state-specific measures which they propose should be adopted instead of a national model. The state plan gives the state commissions discretion to depart from the national numbering administration standards and guidelines in many instances.

MCI WorldCom urges the Commission not to allow state-specific number administration because 1) national administration is still the most efficient method to administer a national plan and, 2) state-by-state deviation from national administration adds no value to improving number administration assignment practices and inefficiencies.

National administration is still the most efficient method to administer a national numbering plan: As the Commission correctly concluded in previous decisions, code administration should be centralized and performed by a neutral third party.³ Centralization increases efficiency and produces more consistent application of assignment guidelines. In the *NANPA Order* the Commission correctly separated code administration from regulatory oversight.⁴ Pooling administration is simply an extension of code administration. The same reasoning applied by the Commission for centralization of CO Code administration should also be applied to centralization of pooling administration. One pooling administrator following one national set of guidelines will not prevent a state regulator from exercising regulatory oversight of carriers.

State-by-state deviation does not add value to improving number administration assignment practices and inefficiencies. The states appear to believe the pooling guidelines are not “binding on any state commission.”⁵ This implies that a state commission may change or modify the pooling administrator requirements at any time to “meet state-specific issues.” However, pooling is not a state-specific solution. It is a national solution to a national numbering problem. Even if each state proceeded with state-specific pooling efforts—the result would be the same in each state. In fact, most state pooling activity is highly redundant.⁶ Unfortunately this redundant activity is accompanied by state-specific numbering task force meetings and proceedings that simply waste industry resources that could more usefully be spent in preparation for national pooling implementation.

³ See e.g., *Pennsylvania Order* at para. 21 (“...a nationwide, uniform system of numbering is essential to the efficient delivery of telecommunications services in the United States.”)

⁴ *Id* at para. 78.

⁵ See, *Industry Numbering Committee Thousand Block Administration Guidelines, as revised by the State Coordination Group and presented to the FCC on January 20, 2000, INC 99-0127-023* (revised December 2, 1999) presented as an attachment to the January Letter. (page 3) (“State Guidelines”)

⁶ For example, recent orders in both the Texas and Florida PUCs proposed (and later ordered) implementing the State Guidelines.

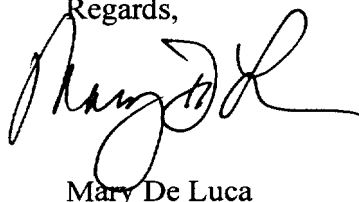
The current number assignment inefficiencies resulted from the application of monopoly assignment practices to a competitive environment. The number of rate areas and the number of carriers in a particular area determine the NXX demand for a particular NPA. Pooling simply reduces that minimum demand from 10,000 numbers to blocks of 1,000 numbers for each rate area. This is not a state-specific solution. Each state will inevitably reach the same conclusion: that pooling needs to happen and happen as early in the NPA life as possible to reap the maximum benefits of meeting numbering demand without jeopardy situations or number shortages.⁷ State-specific activity adds no value to the implementation of pooling. National pooling under uniform rules and guidelines will allow carriers to automate many processes that now must remain manual because of varying state commission requirements. The Commission has consistently recognized the benefits of centralizing national administration:

“The Commissions, the state commissions, and the industry should work together to bring about as quickly as possible national methods to conserve and promote efficient use of numbers that do not undermine that uniform system of numbering. Such attempts, however, cannot be made on a piecemeal basis without jeopardizing telecommunications services throughout the country. Substantial social and economic costs would result if the uniformity of the NANP were compromised by states imposing varying and inconsistent regimes for number conservation and area code relief.”⁸

Pooling is simply an extension of the current system of number administration. Indeed it is likely that in the near future thousand blocks will become the standard.

We urge the Commission to avoid imposing overly burdening regulatory processes by abdicating its responsibility to ensure national numbering administration. MCI WorldCom is certain that national administration, which includes, CO Code and pooling administration, data collection and enforcement issues can be accomplished in one national structure and still meet the needs of specific state commissions.

Regards,

A handwritten signature in black ink, appearing to read 'Mary De Luca', with a stylized flourish at the end.

Mary De Luca

⁷ Indeed, California has already learned these facts. Pooling in the 310 NPA will not prevent NPA relief—but only delay such relief for approximately six months.

⁸ *Pennsylvania Order* at para. 21.

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